

FIRST REGULAR SESSION

SENATE BILL NO. 138

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

0864S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to the supplemental nutrition assistance program.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto
2 one new section, to be known as section 208.246, to read as
3 follows:

208.246. 1. In order to be eligible to participate in
2 the supplemental nutrition assistance program, an individual
3 shall comply with the work requirements described in 7
4 U.S.C. Section 2015(d) and 7 CFR 273.7, unless such
5 individual is otherwise exempt from such requirements under
6 7 U.S.C. Section 2015(d)(2) and 7 CFR 273.7(b).

7 2. A nonexempt individual who refuses or fails without
8 good cause, as such term is described in 7 CFR 273.7, to
9 comply with the program's work requirements shall be
10 ineligible to participate in the program for the duration of
11 the disqualification period and shall be considered an
12 ineligible household member. The disqualification period
13 shall be as follows:

14 (1) For the first occurrence of noncompliance, the
15 individual shall be disqualified for three months;

16 (2) For the second occurrence of noncompliance, the
17 individual shall be disqualified for six months; and

18 (3) For the third occurrence of noncompliance, the
19 individual shall be disqualified permanently.

20 3. If an individual who is the head of a household, as
21 such term is described in 7 CFR 273.1, becomes disqualified
22 under this section, the entire household shall be ineligible
23 to participate in the program for a period not to exceed the
24 lesser of either the duration of the ineligibility period of
25 the disqualified individual or one hundred and eighty days.
26 A household disqualified under this subsection may
27 reestablish eligibility if:

28 (1) The head of the household leaves the household;

29 (2) A new and eligible individual joins the household
30 as the head of the household; or

31 (3) The head of the household becomes exempt from the
32 program's work requirements during the disqualification
33 period.

34 If the disqualified head of the household joins another
35 household as its head, that household shall be disqualified
36 from participating in the program for the remaining
37 disqualification period.

38 4. Except in cases of permanent disqualification, an
39 individual may resume participation in the program at the
40 end of a disqualification period if the individual applies
41 again and is in compliance with the program's work
42 requirements. A disqualified individual may be permitted to
43 resume participation during the disqualification period by
44 becoming exempt from the program's work requirements.

45 5. An individual disqualified under the provisions of
46 this section shall be entitled to a fair hearing under 7 CFR
47 273.7(f) and section 208.080.

48 6. The department of social services may promulgate
49 rules and regulations to implement the provisions of this
50 section. Any rule or portion of a rule, as that term is
51 defined in section 536.010, that is created under the
52 authority delegated in this section shall become effective
53 only if it complies with and is subject to all of the
54 provisions of chapter 536 and, if applicable, section
55 536.028. This section and chapter 536 are nonseverable and
56 if any of the powers vested with the general assembly
57 pursuant to chapter 536 to review, to delay the effective
58 date, or to disapprove and annul a rule are subsequently
59 held unconstitutional, then the grant of rulemaking
60 authority and any rule proposed or adopted after August 28,
61 2021, shall be invalid and void.

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